

the proceedings shall be void, but if confirmed an order of confirmation shall be entered. Effect.

SEC. 4. Any person interested may appeal from the order of confirmation to the district court of the district in which such city or town is situated, by notice in writing to the mayor, at any time before the expiration of twenty days after the entering of the order of confirmation. Upon trial of the appeal, all questions involved in the proceedings, including the amount of damages, shall be open to investigation, and the burden of proof shall in all cases be upon the city or town to show that the proceedings are in conformity with this act. Appeal from confirmation to district court. Trial of same; burden of proof.

SEC. 5. The cost of any proceeding under this act, incurred prior to the order of such city council or trustees confirming or annulling the appraisalment, shall, in all cases, be paid by such city or town. Costs.

Approved, April 11th, 1872.

SUBDIVISIONS OF LANDS AND LOTS TO BE PLATTED.

AN ACT to Provide for surveying Lands or Lots in certain Cases. APRIL 11.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That in all cases where any person or persons, company or corporation, has [divided], or may hereafter divide, any town-lot or parcel of ground within any incorporated town or city, or any tract of land containing forty acres or less, in such a manner that the subdivisions cannot be accurately described without noting the metes and bounds, with a view to sell such lots or lands in parcels, it shall be the duty of such person or persons, company or corporation, to cause such lots or lands to be surveyed, and a plat thereof made by the surveyor of the county where such lots or lands are situated, which plat shall particularly describe and set forth the lots or parcels of land surveyed, as aforesaid; the lots or subdivisions thus made shall be numbered in progressive numbers, and the plat shall show the number and location of each lot or subdivision, and the description of the lot or tract of land of which such land is a part, and also the quantity of land in each lot. Said plat shall be certified to by the surveyor, and recorded in like manner as the Subdivisions of town-lots, and 40 acre tracts, to be surveyed, platted and numbered. Record.

plats of towns are required to be certified to and recorded. Lands or lots described in any deed or conveyance, or for the purpose of taxation, in accordance with the number and description set forth in the plat aforesaid, shall be deemed a good and valid description of the lot or parcel of land so described, and no deed or conveyance of any such lot or parcel of land shall be filed for record and recorded until the surveying, platting, and recording of such land into lots or parcels shall have first been made in accordance with the provisions of this act.

**SEC. 2.** When any town-lot, parcel of ground, or any tract of land containing forty acres or less, heretofore has been, or may hereafter be, subdivided as contemplated in the cases described in the preceding section, it shall be the duty of the owner or owners thereof, when required so to do by the assessor, to cause the same to be surveyed, and the plat thereof recorded, in like manner as is required in the foregoing section; and if such owner or owners shall refuse or neglect to cause such survey to be made, within a reasonable time after being notified by the assessor, it shall be the duty of the assessor to cause such survey to be made and recorded, and the expense thereof to be returned by the assessor to the county auditor, who shall add the same to the tax assessed upon the real property of each of the respective owners, pro rata, according to the value, and it shall be collected with and in like manner as the assessed tax, and shall go into the general county fund to reimburse the county for the money paid out for surveying, platting, and recording.

**SEC. 3.** When such survey and plat have been made, and such plat duly recorded, as hereinbefore provided, the county surveyor shall return to the county auditor a statement of all the expenses of such surveying, platting, and recording, verified by his oath, as to the amount and correctness of the same, which, when approved and allowed by the board of supervisors, shall be paid by the county to the person who rendered the services of surveying, platting, and recording, or who procured and paid for the same. And it is hereby expressly provided that in case the owner or owners neglect, fail, or refuse for ten days after notice by the assessor to procure such surveying, platting, and recording to be performed, it shall be the duty of assessors to procure the same to be done as aforesaid, and in all such cases no assessor's return shall be received or deemed complete, nor shall he receive any compensation for his services until the requirements of this act shall have been carried into effect. And when any owner or owners

Valid description

Deed not to be recorded till survey is made.

Assessor to notify owner to obtain survey.

Upon failure of owner to comply, assessor to cause survey to be made.

Expenses to be collected as tax.

Co. surveyor's return of expenses.

Co. to pay approved bill.

Duty of assessor; to receive no pay until this act is complied with.

of lots or land as aforesaid shall be unknown to the assessor, or, if known, non-residents of the county, then the ten days' notice aforesaid shall not be required, and the assessor may proceed immediately to procure the same to be surveyed, platted and recorded in the manner described by the terms of this act.

Unknown  
owners.

SEC. 4. This act, being deemed by the General Assembly of immediate importance, shall take effect from and after its publication in the Iowa State Register and State Leader, newspapers published in Des Moines, Iowa.

In force when.

Approved, April 11th, 1872.

I hereby certify that the foregoing act was published in the *Daily State Leader*, April 13, and in the *Daily Iowa State Register*, April 14, 1872.

ED WRIGHT, *Secretary of State*.

CH. 100.] CHAPTER XLII. [S. F. 98.

EXEMPTION OF SEWING MACHINES.

AN ACT to Amend Section 3305 of the Revision of 1860, Exempting Sewing Machines from Execution. APRIL 11.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 3305, chapter 125, of the Revision of 1860, be, and the same is hereby, amended by inserting therein, after the words "All spinning wheels and looms," the following, to-wit: "One sewing machine."

Sewing machines  
exempted from  
execution.

Revision: 3305.

Approved, April 11th, 1872.

CH. 101.] CHAPTER XLIII.\* [S. F. 12<sup>2</sup>.

AN ADDITIONAL PENITENTIARY ESTABLISHED.

AN ACT to Permanently Locate and Provide for the Erection and Control of an Additional Penitentiary. APRIL 12.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That there shall be and is hereby permanently established, at or near the stone quarries near

\* See chapter cviii.